

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

REGULAR MEETING ACTION MINUTES

OCTOBER 12, 2017

MEMBERS PRESENT:

Mike Graves	Chair
Davlyn Jones	Commissioner
Martha O’Connell	Commissioner
Huy Tran	Commissioner
Andrea Wheeler	Commissioner
Alex Shoor	Vice Chair
Michael Fitzgerald	Commissioner
Nhi Nguyen	Commissioner (Arrived 6:18pm)
Julie Quinn	Commissioner (Exited 9:45pm)
Ruben Navarro	Commissioner
Lee Thompson	Commissioner

MEMBERS ABSENT:

Melissa Medina	Commissioner
Barry Del Buono	Commissioner

STAFF:

Jacky Morales-Ferrand	Housing Department
Kristen Clements	Housing Department
Rachel VanderVeen	Housing Department
Adam Marcus	Housing Department
Robert Lopez	Housing Department
Charles Oshinuga	City Attorney’s Office
Helen Chapman	Councilmember Jimenez’s Office

(I) Call to Order/Orders of the Day— Chair Graves opened the meeting at 5:55pm.

(II) Introductions—Commissioners, staff, and audience introduced themselves.

(III) Consent Calendar

A-B. Approve the Minutes for the Annual Retreat of September 9, 2017 and Regular Meeting of September 14, 2017.

Commissioner Thompson made the motion to approve the action minutes for the September 8, 2017 annual retreat and September 14, 2016 regular meeting with a friendly amendment by Commissioner Fitzgerald to correctly state that he was present at the retreat. The motion was seconded by Commissioner Jones. The motion passed unanimously (9-0).

(IV) Reports and Information Only

A. Chair – The Chair reported that members of the public could give another speaker only 2 minutes of their own time for public comments during New Business items.

B. Director’s Report –Ms. Morales-Ferrand reported on past announcements of the Mayor’s Housing Plan as well as the Governor’s Housing Plan.

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C. Council Liaison – None

(V) **Old Business - None**

(VI) **New Business**

A. **Mobile Home Opt-In/Stay-In-Business Analysis of Draft Framework (R. VanderVeen, Housing Department)**

ACTION: Accept the staff report and provide feedback and recommendations to staff on the Draft Mobilehome Opt-In/Stay-In-Business framework and on the revised public outreach plan.

Commissioner O'Connell recused herself from the discussion and vote and will act as a member of the public.

Commissioner Wheeler made the motion to amend the draft Mobilehome Opt-In/Stay-In-Business framework and revised outreach plan for City Council consideration with a second by Chair Graves. The motion passed by roll call vote (7-3).

Yes: Quinn, Jones, Graves, Shoor, Nguyen, Fitzgerald, Wheeler

No: Tran, Thompson, Navarro

Commissioner Wheeler made the motion to limit vacancy de-control charge to 10% of the rent with a maximum charge of \$100. Commissioner Fitzgerald added a friendly amendment of no more than three times in ten (10) years. The friendly amendment was accepted by Commissioner Wheeler and the motion was seconded by Chair Graves. Commissioner Tran offered a friendly amendment to increase the time period to no more than three times in a 20-year period. Commissioner Wheeler and Graves accepted the friendly amendment. The motion passed by roll call vote (8-2).

Yes: Tran, Quinn, Graves, Shoor, Nguyen, Fitzgerald, Navarro, Wheeler

No: Thompson, Jones

Commissioner Wheeler made the motion to require the mobilehome park land/property owner to submit a land use designation for mobilehomes at the time of Opt-in with a second by Chair Graves. The motion passed by roll call vote (8-2).

Yes: Tran, Quinn, Jones, Graves, Nguyen, Fitzgerald, Navarro, Wheeler

No: Thompson, Shoor

Commissioner Thompson made the motion to include a restriction that residents have to approve the opt-in by a mobilehome land/property owner with a second by Commissioner Shoor. Commissioner Shoor also added a friendly amendment that it should be approved by 75% approval, Commissioner Thompson suggested 2/3 of park residents are also required to participate. The motion passed by roll call vote (8-2).

Yes: Tran, Quinn, Thompson, Jones, Shoor, Nguyen, Navarro, Wheeler

No: Graves, Fitzgerald

Commissioner Tran made the motion to accept the staff report for its analysis, but reject the recommendation of the Draft Mobilehome Opt-In/Stay-In-Business framework and on the revised public outreach plan as amended by the Commission, and instead that there be no more efforts on the Mobilehome Opt-In/Stay-In-Business Proposal. Commissioner Navarro seconded the motion. The motion passed by roll call vote (7-3).

Yes: Tran, Quinn, Jones, Shoor, Nguyen, Navarro, Wheeler

No: Thompson, Graves, Fitzgerald

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B. **Workload Assessment on Prioritization for Tenants of Affordable Housing (K. Clements, Housing Department)**

ACTION: Accept the report and offer recommendations on potential Tenant Preferences to study, which may be used to establish priorities for making affordable apartments available to eligible applicants.

Commissioner Tran made the motion to set “live and work in San Jose” as a fundamental overarching preference for all priorities with a second by Commissioner Navarro. The motion failed by roll call vote (5-5).

Yes: Tran, Jones, O’Connell, Navarro, Wheeler

No: Thompson, Graves, Shoor, Nguyen, Fitzgerald

Commissioner Tran made the motion to accept the report and consider the recommendations on potential Tenant Preferences to study, which may be used to establish priorities for making affordable apartments available to eligible applicants, as voted on individually by the Commission. Commissioner Shoor seconded the motion and the motion passed unanimously by roll call vote.

Recommendations on potential tenant preferences to study were voted on individually and are outlined in the following summary table. Each commissioner was given five votes that they could allocate to any preference type.

Preference Type	Total
Neighborhood	3
Anti-Displacement	2
Live or Work in San Jose	9
Disaster Victims	1
Displaced	5
Rent-Burdened	2
Artists	0
Teachers	2
Homeless	4
Unaccompanied Youth	6
Veterans	3
Lesbian, Gay, Bisexual, Transgender, Queer	2
Domestic Violence Survivors	5
Other: Disabled	1
Other: Seniors	1
Other: Applicant with children who live and work in San Jose	4

C. **FY 2017-18 HCDC Workplan (R. Bramson, Housing Department)**

ACTION: Discussion and potential recommendation to the Rules and Open Government Committee to approve the FY 2017-18 HCDC Workplan.

Commissioner O’Connell made the motion to recommend to the Rules and Open Government Committee to approve the FY2017-18 HCDC Workplan with a second by Commissioner Tran. The motion passed unanimously (10-0).

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D. LGBTQ Senior Housing (R. Bramson, Housing Department)

ACTION: Review report on LGBTQ housing from County Supervisor Ken Yeager and consider adopting a position of support to the City Council.

Commissioner Shoor made the motion to have the Housing Department track the issue with the County of Santa Clara and bring back to the Commission at a time to take further action with a second by Commissioner Wheeler. The motion passed unanimously (10-0).

(VII) Meeting Schedule

The next regular meeting will be on Thursday, November 9, 2017 at 5:45PM, in the San Jose City Hall Wing Rooms 118-120.

Commissioner Graves asked if the issue of meeting date, time, and length could be agendized for the next meeting.

Commissioner Shoor asked if the following could be agendized for November or January: (1) discussion of a tax on empty homes in San Jose, (2) idea of a City Council policy for housing units for housing that is more family friendly, and (3) discussing developing a mobile application for rental rights. Ms. Morales-Ferrand commentd that the Department will bring back information for path of tax on empty homes, but that the City is already moving forward on a meeting with applciation developers. **Commissioner Thompson made the motion to move forward with these items at a later date with a second by Commissioner Jones. The motion passed by roll call vote (9-1).**

Yes: Tran, Thompson, Jones, O'Connell, Shoor, Nguyen, Fitzgerald, Navarro, Wheeler

No: Fitzgerald

Commissioner Navarro made the moton to add the issue of tax on foreign investors with a second by Commissioner O'Connell. The motion failed by roll call vote (5-5).

Yes: Tran, Jones, Shoor, Navarro, Wheeler

No: Thompson, O'Connell, Graves, Nguyen, Fitzgerald

(VIII) Open Forum

Shaun Cartwright commented that the Commission showed a lack of decorum after the first tiem of the meeting and that the Commission often lacks decorum and should do better.

(IX) Adjournment

Chair Graves adjourned the meeting at 11:13pm.